UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,068	04/25/2001	Barry Bronson	10005059	5915

7590 04/04/2006	EXAMINER
HEWLETT-PACKARD COMPANY Intellectual Property Administration P.O.Box 272400 Fort Collins, CO 80527-2400	HANNETT, JAMES M

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/841,068	BRONSON, BARRY
	Examiner	Art Unit
	James M. Hannett	2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 January 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,10-19 and 21-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6,7 and 10-19* is/are rejected.

7)☒ Claim(s) *5 and 21-23* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *4/25/2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 1/13/2006 have been fully considered but they are not persuasive.

The applicant has amended the claims to include the limitation "the sensed image includes all sub-images that can be selected from the remote site/sites". Furthermore, the applicant argues that the prior art does not teach this limitation.

The examiner disagrees with the applicant. The examiner views the new claim limitation of transmitting the sensed image including all the sub-images that can be selected from the remote site/sites broadly. Oka et al teaches in Figures 14, 15, and 26 a system in which a camera captures a video image and transmits the video image to a camera server. The camera server then transmits corresponding sub-regions of the image to respective clients that are at remote locations on a network. Oka et al teaches that only the sub-region selected by a remote user is transmitted to the remote user. However, Oka et al further teaches on Column 8, Lines 3-10 that in an initial state, the initial settings for the transmitted image to a remote site correspond to (M/2, -M/2,N/2 and –N/2). This corresponds to the entire image sensible range. Therefore, in an initial state an image corresponding the entire image sensible range is transmitted to a remote site. This image of the entire sensible range includes all sub-images that can be selected from the remote site/sites".

The common knowledge statement related to Claims 2-4 and 11 is taken to be admitted prior art because applicant failed to traverse the examiner's assertion of official notice.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1:      Claims 1, 6, 7, 10, 12, 13, and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,727,940 Oka et al.

2:      As for Claim 1, Oka et al teaches and depicts in Figure (15a) a method of providing images to a remote site, the method comprising: sensing an image of a scene; Column 4, Lines 29-32, Establishing a connection with a remote site; Column 4, Lines 34-41, Transmitting the sensed image to the remote site (1300), Receiving a selection of a sub-image (1501) of the sensed image from the remote site (1300); Column 4, Lines 55-67. Oka et al teaches on Column 5, Lines 1-13 and on Column 2, Lines 28-35 generating the sub-image (1507) from the sensed image (1504); Figure 15B, and transmitting the sub-image to the remote site. Oka et al further teaches on Column 8, Lines 3-10 that in an initial state, the initial settings for the transmitted image to a remote site correspond to (M/2, -M/2,N/2 and –N/2). This corresponds to the entire image sensible range. Therefore, in an initial state an image corresponding the entire image sensible range is transmitted to a remote site.

3:      In regards to Claim 6, Oka et al teaches on Column 5, Lines 30-45 wherein the step of generating the sub-images comprises: generating a series of frames of the sub-image. Oka et al

teaches that the sub-images are frames of video sent to the respective clients. Therefore, since a

video signal is sent to the clients this constitutes a series of video frames.

4:      As for Claim 7, Oka et al teaches on Column 5, Lines 30-45 wherein the step of

generating the sub-images comprises: generating a series of frames of the sub-image. Oka et al

teaches that the sub-images are frames of video sent to the respective clients. Therefore, since a

video signal is sent to the clients this constitutes a series of video frames.

5:      In regards to Claim 10, Oka et al teaches and depicts in Figure (15a) a method of

providing images to a plurality of remote sites, the method comprising: sensing an image of a

scene; Column 4, Lines 29-32, establishing connections with the remote sites; Column 4, Lines

34-41, Transmitting the sensed image to the remote sites (1300); Receiving a selection of a sub-

image (1501) from each of the remote sites (1300); Column 4, Lines 55-67. Oka et al teaches on

Column 5, Lines 1-13 and on Column 2, Lines 28-35 assigning each of the remote sites to a

channel; generating the sub-image selected at each remote site; and transmitting the sub-images

to their respective remote sites. Oka et al further teaches on Column 8, Lines 3-10 that in an

initial state, the initial settings for the transmitted image to a remote site correspond to (M/2, -

M/2,N/2 and –N/2). This corresponds to the entire image sensible range. Therefore, in an initial

state an image corresponding the entire image sensible range is transmitted to a remote site.

6:      In regards to Claim 12, Oka et al teaches on Column 5, Lines 30-45 wherein the step of

generating the sub-images comprises: generating a series of frames of the sub-image. Oka et al

teaches that the sub-images are frames of video sent to the respective clients. Therefore, since a

video signal is sent to the clients this constitutes a series of video frames.

7:     As for Claim 13, Oka et al teaches and depicts in Figure (15a) a method of displaying

images at a remote site, the method comprising: establishing a connection with an image access

system Column 2, Lines 76-21; receiving a sensed image of a scene to be observed. Displaying

the sensed image; Column 4, Lines 55-67, selecting a sub-image of the sensed image; Column 5,

Lines 35-40. Oka et al teaches receiving a selection of a sub-image (1501) from each of the

remote sites (1300); Column 4, Lines 55-67. Oka et al teaches on Column 5, Lines 1-13 and on

Column 2, Lines 28-35 assigning each of the remote sites to a channel; generating the sub-image

selected at each remote site; and transmitting the sub-images to their respective remote sites. Oka

et al further teaches on Column 8, Lines 3-10 that in an initial state, the initial settings for the

transmitted image to a remote site correspond to (M/2, -M/2,N/2 and –N/2). This corresponds to

the entire image sensible range. Therefore, in an initial state an image corresponding the entire

image sensible range is transmitted to a remote site.

8:     As for Claim 15, Oka et al teaches an image access system comprising: an image sensor

for sensing an image (CCD); Column 4, Lines 29-32, and an image processing system operably

coupled to the image sensor, wherein the image processing system receives image data from the

image sensor, transmits the sensed image to remote sites, generates sub-images of the sensed

image, and transmits sub-images to remote sites upon request by the remote sites; Column 1,

Lines 55-60. The image processing system is viewed by the examiner as the image distribution

system. Oka et al further teaches on Column 8, Lines 3-10 that in an initial state, the initial

settings for the transmitted image to a remote site correspond to (M/2, -M/2,N/2 and –N/2). This

corresponds to the entire image sensible range. Therefore, in an initial state an image

corresponding the entire image sensible range is transmitted to a remote site.

9:      In regards to Claim 16, Oka et al teaches on Column 5, Lines 22-45 the image processing

system (camera server) comprises: a sensor control (Video image input unit) operably coupled to

the image sensor (CCD), wherein the sensor control receives the image data from the image

sensor.

10:     As for Claim 17, Oka et al teaches on Column 5, Lines 22-45 the image processing

system (Camera server) comprises: an access control operably coupled to the sensor control and

in communication with the remote sites, wherein the access control controls access of the remote

sites to the image access system, the generation of sub-images, and the transmission of sub-

images to the remote sites.

11:     In regards to Claim 18, Oka et al teaches on Column 6, Lines 18-22 and on Column 5,

Lines 16-4 the image processing system (Camera server) comprises: a processor (CPU) operably

coupled to the access control to receive instructions from the access control, wherein the

processor (CPU) receives image data from the sensor control and formats image data for

transmission to the remote sites.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

12:   Claims 2-4, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

USPN 6,727,940 Oka et al.

13:    In regards to Claim 2, Oka et al teaches a video distribution system that distributes

selected video signals to several clients on a network. However, Oka et al does not teach that the

video distribution system can determine whether the remote site is authorized to receive images.

Official notice is taken that it was well know in the art at the time the invention was made

for video distribution systems to have software that prohibit non-subscribers to view transmitted

video data and to deny access to the video if the client is not a subscriber.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to include software that prohibit non-subscribers to view transmitted video

data and to deny access to the video if the client is not a subscriber. In the camera system of Oka

et al in order to prohibit non-subscribers to view transmitted video data.

14:    As for Claim 3, Oka et al teaches a video distribution system that distributes selected

video signals to several clients on a network. However, Oka et al does not teach determining a

priority level of the remote site.

Official notice is taken that it was well known in the art at the time the invention was

made to allow video distribution systems to assign bandwidth to different users based on the

priority level and available bandwidth of the remote clients in order to allow clients with faster

connections to receive data at an optimum rate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to allow the video distribution system of Oka et al to assign bandwidth to

different users based on the priority level and available bandwidth of the remote clients in order

to allow clients with faster connections to receive data at an optimum rate.

15:    In regards to Claim 4, Oka et al teaches a video distribution system that distributes

selected video signals to several clients on a network. However, Oka et al does not teach

determining whether a channel is available for transmitting the sub-image to the remote site.

Official notice is taken that it was well know in the art at the time the invention was made

for video distribution systems to determine whether the network is available for transmitting the

video to the remote site before the data is transmitted in order to prevent bandwidth from being

wasted by transmitting erroneous data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to enable the video distribution system of Oka et al to determine whether the

network is available for transmitting the video to the remote site before the data is transmitted in

order to prevent bandwidth from being wasted by transmitting erroneous data.

16:    As for Claim 11, Oka et al teaches a video distribution system that distributes selected

video signals to several clients on a network. However, Oka et al does not teach determining

whether a channel is available for transmitting the sub-image to the remote site.

Official notice is taken that it was well know in the art at the time the invention was made

for video distribution systems to determine whether the network is available for transmitting the

video to the remote site before the data is transmitted in order to prevent bandwidth from being

wasted by transmitting erroneous data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to enable the video distribution system of Oka et al to determine whether the

network is available for transmitting the video to the remote site before the data is transmitted in

order to prevent bandwidth from being wasted by transmitting erroneous data.

17:    In regards to Claim 14, Oka et al further teaches on Column 1, Lines 47-60 the step of

selecting a sub-image comprises: panning through the sensed image; and indicating a portion of

the sensed image to be displayed.

18:   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,727,940

Oka et al in view of USPN 6,317,127 Daily et al.

19:    As for Claim 19, Oka et al teaches the claimed invention as discussed in Claim 18,

However, Oka et al does not teach that the image processing system (camera server) comprises: a

frame buffer operably coupled to the sensor control and to the processor (CPU), wherein the

frame buffer receives image data from the sensor (CCD) and provides image data to the

processor (CPU).

Daily et al teaches the use of video distribution system in which sub-images of a larger

high-resolution image are sent to multiple users. Daily et al teaches that it is advantageous when

designing such a video distribution system to output the selected sub-image to a frame buffer in

order to reduce the number of computations and reduce the potential for glitches in the displayed

sub-image.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to output the selected sub-image in the system of Oka et al to a frame buffer

As taught by Daily et al wherein the frame buffer receives image data from the sensor (CCD)

and provides image data to the processor (CPU), in order to reduce the number of computations

and reduce the potential for glitches in the displayed sub-image.

Allowable Subject Matter

20:      Claims 5, 21-23 are objected to as being dependent upon a rejected base claim, but would

be allowable if rewritten in independent form including all of the limitations of the base claim

and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James M. Hannett whose telephone number is 571-272-7309.

The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett
Examiner
Art Unit 2622

JMH
March 30, 2006

DAVID OMETZ
SUPERVISORY PATENT EXAMINER